

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-21 are pending. Claims 1 and 8 are amended by the present amendment. As support for the present amendment may be found, at least for example, in the specification at page 6, lines 14-23, it is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 1, 2, 8, and 9 were rejected under 35 U.S.C. §102(b) as anticipated by Viltro et al. (U.S. Patent No. 5,837,005, hereafter Viltro); Claim 15 was rejected under 35 U.S.C. §103(a) as unpatentable over Viltro in view of Ono et al. (WO 99/511174, hereafter Ono); and Claims 16-18 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over Viltro. Claims 3-7, 10-14, 19, and 21 are allowed.

Applicants gratefully acknowledge the allowance of Claims 3-7, 10-14, 19, and 21.

Applicants and Applicants' representatives thank Examiner Comstock for the courtesy of the interview granted to Applicants' representatives on July 26, 2006. During the interview, differences between the claims and Viltro were discussed. Examiner Comstock agreed that a proposed amendment to Claims 1 and 8 appeared to overcome the rejection of record. This proposed amendment to Claims 1 and 8 is presented herewith.

With regard to the rejection of Claims 1 and 8 under 35 U.S.C. §102(b) as anticipated by Viltro, that rejection is respectfully traversed.

Amended Claims 1 and 8 recite in part, "said outermost base sheet being *non-removably attached* to said hair warming tool."

The outstanding Office Action cited release paper 36 of Viltro as "an outermost base sheet." However, the release paper 36 of Viltro is clearly adapted to be *removably attached*,

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so that adhesive 34 may be attached to an article of clothing.<sup>1</sup> Accordingly, release paper 36 of Viltro cannot be an “outermost base sheet being *non-removably attached* to said hair warming tool,” as recited in Claims 1 and 8.

Accordingly, as Viltro fails to disclose or suggest the outermost base sheet defined in independent Claims 1 and 8, it is respectfully submitted that Claims 1 and 8 (and Claims 2, 9, 15-18, and 20 dependent therefrom) patentably distinguish over Viltro. It is therefore respectfully requested that this rejection be withdrawn.

With regard to the rejection of Claim 15 as unpatentable over Viltro in view of Ono, it is noted that Claim 15 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above with respect to Claim 1. Further, it is respectfully submitted that Ono does not cure any of the above-noted deficiencies of Viltro. Accordingly, it is respectfully submitted that Claim 15 is patentable over Viltro in view of Ono.

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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<sup>1</sup>See Viltro, column 4, lines 15-24.